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\*ADMITTED IN MISSOURI AND ILLINOIS

August 2, 2013

Steve MacIntyre  
Community Development Department  
City of Columbia  
701 East Broadway  
Columbia, MO 65201  
Via Hand Delivery and E-mail: [sjmacint@gocolumbiamo.com](mailto:sjmacint@gocolumbiamo.com)

RE: Missouri CVS Pharmacy, L.L.C. (the "Applicant") / SE Corner of Providence and  
Broadway / Rezoning and C-P Plan Approval (Case No. 13-127)

Dear Mr. MacIntyre,

Please find accompanying this letter the following attachments:

1. Responses to the staff comments to the Application for Permanent Rezoning and C-P Plan submitted on July 1, 2013;
2. Revised C-P Plan;
3. Revised list of design perimeters;
4. Request for "variances";
5. Flood Study approval;
6. Revisions to Application for the Permanent Rezoning of Property;
7. Revised Statement of Intent (including list of permitted uses); and
8. Amended Traffic Impact Study.

Thank you for your attention to these matters and please let me know if you have any questions, comments, or suggestions.

Sincerely,

**Van Matre, Harrison, Hollis, Taylor, and Bacon, P.C.**

By:

  
Robert N. Hollis

RNH/jac  
Enclosures

CC: Timothy Teddy, Pat Zenner, David Barnett, Donn Fizer, and Brian Rensing (Via E-mail)



**City of Columbia  
Planning Department**

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## Design Parameters Worksheet

For office use:

Case #:	Submission Date:	Planner Assigned:
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**Please provide the following information:**

1. The minimum distance between any building and any adjacent property line or street right-of-way. 5' along Broadway, 34' along 4th St, and 3' along City-owned parcel at intersection.
2. The minimum distance between the edge of any driveway, parking area, loading area, trash storage area and any adjacent property line or street right-of-way.  
Approx. 1' along Providence to the parking lot curblin following ROW dedication; 6' along 4th St. to parking area/driveways. Approx. 32' from dumpster/compactor enclosures to 4th St.
3. The maximum number of freestanding signs on the site, the maximum square footage of sign surface area and maximum height of each.  
There will be one (1) monument sign, 12' in height, 66 square feet. There will be three (3) internal directional signs 3'-4" in height, 3.12 square feet each. Details and building signage attached.
4. The minimum percentage of the site to be maintained in open space shown by the percent in landscaping and the percent left in existing vegetation. (not applicable to M-R districts)  
11.4% of the total site area is landscaped; 16.2% is landscaped including ROW dedication;  
18.8% is landscaped including the park; 23.6% is landscaped including park & ROW
5. The maximum height and number of light poles and type of fixtures.  
CVS site lighting shall be Cimarron LED fixtures with 28' max. light poles.  
Pedestrian lighting shall be ALN440 Towne Commons with 16' max. light poles.

**Proposed redevelopment plan's conformance with existing City Plans:**

1. Comment: The City's 2001 comprehensive plan, Columbia Metro 2020... A planning guide for Columbia's future, provides policies and guidelines for development. The subject site is primarily situated within the Greenbelt/Open Space District, which is generally consistent with the 100-year floodplain boundary. This District is designed to provide for recreational and aesthetic needs of the residents of the community, including preservation of natural beauty, the provision of non-motorized corridors to connect parks, and maintenance of water quality. The proposed 160-foot long extension of the existing double-box culvert to further enclose Flat Branch Creek and accommodate a surface parking lot is completely at odds with the Greenbelt/Open Space District's intent. Furthermore, the existing box culvert on the City-owned parcel immediately south of Broadway is in disrepair and may need to be removed in the future. Such repairs or removal will be made more difficult if the culvert is extended as proposed.

Response: If recommendations, policies, and guidelines such as these were strictly applied, the City would need to remove all of the current structures on the property and there would be no realistic possibility of the property being redeveloped in the foreseeable future. For example, "daylighting" the stream would require most of the property to be free from structures due to the slopes that would be created. CVS has provided staff with depictions illustrating the effects of daylighting the stream. The City has not approached the property owner with an offer to purchase the property nor is the Applicant aware of any City plans to condemn the property nor is the Applicant aware of any plans of the City to acquire the property at any point in the future. The recommendations, policies, and guidelines should be reasonably applied as general suggestions and any specific application must consider the practical effects with respect to individual properties and their owners. With regard to the City owned box culvert, it is our understanding that it is structurally sound; however, CVS is willing to make repairs to the culvert if the redevelopment work reveals that such repairs are required.

2. Comment: A small strip of the site, along Providence Road, falls within the City Center District. The City Center District supports drive-thru facilities if it can be demonstrated that the design and operation of the facility is compatible with the pedestrian environment. The proposed drive-thru exit onto Broadway is not compatible. Surface parking lots are not generally considered compatible uses in the City Center, and are discouraged, in favor of parking structures with active retail uses at street level.

Response: Please see the revised C-P Plan which has eliminated access onto Broadway and replaced it with access onto Fourth Street. With regard to surface parking, the property proposed for redevelopment is directly adjacent to a major roadway (Providence Road) that moves a large volume of traffic as well as a major intersection (Providence and Broadway). In that regard, the property is different from other "downtown" properties and should be considered as more of a transition area between downtown and that which is not considered downtown Columbia. The City has shown its realization of this fact, which has shown such consideration by passing Ordinances that treat signage differently for such properties, as discussed below. Surface parking and drive-thru facilities are absolutely essential to redevelopment of the site and the revised C-P plan has been prepared and



revised to make these facilities compatible with the pedestrian environment. Since no on-street parking is provided along Broadway or Providence Road and the nearest parking structure is more than 800 feet away, surface parking on the property is the only feasible location. Any redevelopment of the site would include uses that are reliant upon vehicular traffic because of the site's proximity to large volumes of traffic. CVS has chosen this site because of the vehicular AND pedestrian traffic and has developed a plan to best accommodate both types of traffic.

3. Comment: An overview plan on page 25 of the H3 Studio's 10/8/2010 Charrette Report envisions "Flat Branch Park as destination: Expansion of green space and green entry to downtown; and utilization of existing historic assets with new squares on corner as part of gateway entry." The proposed development is not compatible with this vision, which suggests daylighting Flat Branch Creek to Broadway and extending this greenbelt corridor to the intersection of Broadway and Providence Road.

**Response: See response to number 1 above.**

4. Comment: Proposed plan appears to generally conform with several of the preferences listed in Section 106-436; Policy Res. 154-05A; Expressing the City Council's preferences relating to rezoning and development along the Providence Road corridor.

- Comment: The request for planned zoning in the form of C-P is consistent with the resolution.

**Response: This is also consistent with the recommendations of the Downtown Community Improvement District to eliminate "manufacturing" zoning and replace it with C-2 uses.**

- Comment: The proposed building is oriented toward Broadway rather than Providence Road as the resolution suggests, staff believes this is an acceptable alternative given the location of Flat Branch Creek and the limited area for siting a building along the property's Providence Road frontage. The proposed addition of a 72-space surface parking lot along the Providence Road frontage does not support the resolution's intent of minimizing the visibility of parking along this corridor. While the offer to convert the off-site City-owned surface parking lot at the intersection of Broadway and Providence Road to a landscaped pocket park is appealing, there is minimal on-site landscaping shown to screen the proposed parking area from Providence Road and Fourth Street.

**Response: CVS proposes to improve the City's parking area as a pocket park which will not only be aesthetically appealing; it will also provide storm water benefits. The pocket park will be converted from an existing paved, impervious surface to a fully landscaped and pervious "green" corner. The landscaping will reduce the volume of stormwater runoff and pollutants such as sediment, oil, and grease from vehicles that are transported to the City's storm sewer system and ultimately Flat Branch Creek. The soil beneath the surface will be amended per recommendations**



provided by the City of Columbia Public Works Department to further aid in filtering stormwater runoff by infiltration.

In addition, the southwest boundary of the property along Providence Road will contain berm that is slightly higher than the elevation of those traveling on Providence Road and will contain landscaping that will act as a barrier/buffer to visibility of the parking area as proposed on the revised C-P plan. The berm will be as high as 4 feet and the landscaping along the top of the berm will consist of an evergreen and deciduous screen with shrubs planted approximately 3' in height as well as deciduous trees planted at 12' to 14' in height as shown on the revised plan. This increase in landscaping is part of additional landscaping now shown on the plan which is approximately double that which was shown on the initially submitted plan.

Without including the area within the additional right of way along Providence which MoDOT has requested that the Applicant dedicate and without including the pocket park area, the percentage of the site that would be landscaped is calculated to be 11.4%. If the aforementioned right of way is included in the calculation, the percentage is 16.2%. If the pocket park area is included, the percentage is 18.8%. Accordingly, if the right of way and pocket park are included in the calculation, the percentage is 23.6%, which is significantly greater than the minimum suggested percentage of 15% under Section 29-25. Of course, under 29-17, the City has discretion to vary from the suggested percentage of 15% based on its consideration of topography, surrounding uses, and other relevant factors. It is certainly relevant that the pocket park will be landscaped and maintained as if part of the site and it is, thus, logical to include that area in the calculation of the percentage of landscaping when considering the plan or to grant a "variance" in that regard. With respect to the right of way along Providence requested for dedication by MoDOT, the Applicant is proposing to install and maintain that area in landscaping as shown on the plan until such time as that right of way may be used in an expansion of Providence Road. Given that widening Providence such that the additional right of way would be used is an extremely unlikely event, the landscaping will likely remain in place for many years. As with the pocket park, it is reasonable to include the right of way in the landscape percentage calculation or to grant a "variance" in that regard. To the extent that MoDOT desires to have a "right of use" or other such documentation regarding the landscaping to be installed and maintained in the right of way, the Applicant will cooperate in that regard. To the extent that the landscaping percentage is calculated as less than 15%, a "variance" to the suggested percentage under Section 29-17 and Section 29-25 is being requested as shown on the notes to the plan, as well as the Revisions to Application for the Permanent Rezoning of Property.

- Comment: The plan would eliminate excess driveway cuts along Providence Road within the operational zone of the Providence/Broadway intersection.

**Response:** See comments of traffic engineer and the amended Traffic Impact Study.



- Comment: The proposal for all uses permitted under C-2 is not consistent with the desire to eliminate large traffic generators such as fast food restaurants.

**Response:** Considering the actual uses surrounding the site and the predominance of open, C-2 zoning around the property, as well as the proximity of the site to the major intersection of Providence Road and East Broadway, the Applicant does not intend to limit the uses further by eliminating any of the permitted uses under C-2. Eliminating such uses would be akin to “spot zoning” in that the property would be unlike the surrounding properties with respect to permitted uses. As requested, the list of uses under C-2 has been included with the Statement of Intent which accompanies this information. In addition, a full service pharmacy and parking were added to the list to avoid any potential confusion with respect to same. “Pharmacy” is not specifically listed anywhere in the Ordinances as a permitted use and a “straight” C-2 zoning classification would not permit surface parking.

- Comment: Monument signs are recommended. Maximum height and area of signs is required to be listed in design parameters. C-1 sign standards are preferred in the C-P district.

**Response:** See revised plans and design parameters.

- Comment: Additional landscaping is recommended.

**Response:** See previous responses. Additional landscaping has been provided as follows: 55 additional yew, 169 additional juniper, 33 additional spirea.

- Comment: Lighting per City Code should prevent spillover onto adjacent properties.

**Response:** All lighting will be shielded to prevent spillover to adjacent properties as per Section 29-30.1.

- Comment: Multi-story mixed use is preferred as opposed to single-story & single use.

**Response:** See previous responses differentiating this site from typical downtown sites.

- Comment: Will the building have a pitched roof? Will the mechanical units (e.g., air conditioners) be screened from view? Other suggested elements appear to conform to Council resolution preferences.

**Response:** The building will not have a pitched roof and mechanical units will be screened from view by increasing the height above the roofline of the “wall” to the extent necessary to adequately limit the view of mechanical units on the roof.

- Comment: The dumpsters are behind the building and enclosed by fence.

**Response:** As a point of clarification, the dumpsters will be enclosed by a structure that probably doesn't come to mind when seeing the word "fence." The dumpsters will be enclosed by a fence/masonry enclosure that matches the building materials.

5. Comment: The May 2009 Downtown Leadership Council Interim Report expresses a preference for relocating on-street parking from Broadway to Fourth Street. The proposed plan shows replacement of parking along both street frontages with urban sidewalks, which is considered an improvement from the current situation. The report also considers a pedestrian bridge to connect Flat Branch Park to development on the west side of Providence Road. While the proposed plan shows sidewalks connecting Fourth Street to the corner of Broadway and Providence Road through the subject site, no pedestrian overpass is proposed with this project. A pedestrian overpass may be more appropriate in conjunction with future redevelopment of the property on the west side of Providence Road. It should be noted that a pedestrian overpass was recently removed from Providence Road north of this site in favor of an at-grade mid-block crossing.

**Response:** There are no known plans approved or supported by any applicable regulatory agency for a pedestrian overpass and no such overpass is proposed as part of this project. In addition, traffic engineer comments point out significant problems that arise when considering such an overpass: "A pedestrian bridge would require long ramps and/or switchbacks on both sides of Providence Road to meet ADA requirements. This would especially be true for the east side of Providence Road since the grade is lower on the east side. Marked pedestrian crossings are provided across Providence Road at Broadway and Locust, leaving approximately 740 feet between crossings. A midblock crossing would provide pedestrian crossings every 370 feet along a heavily traveled corridor."

### **General Review Comments**

#### **Development Plan**

1. Comment: Please clarify whether or not landscaping calculations include the proposed conversion of the City-owned parking area to landscaping. No credit can be given toward required landscaping for off-site landscape areas.

**Response:** See previous response.

2. Comment: Bicycle parking is required per Sec. 29-30(m).

**Response:** See revised plan.

3. Comment: A 10-foot wide downtown style sidewalk is required along all street frontages.



**Response: See revised plan.**

4. Comment: Plan should reflect the need for 20 feet of additional street ROW to be dedicated along Providence Road, and 5 feet additional ROW along Broadway.

**Response: The revised plan shows 15 additional feet of right of way to be dedicated along Providence Road as suggested by MoDOT. Based on correspondence with traffic engineers, 15 feet is sufficient to accommodate any improvements that might be made to Providence Road, although any such improvements that would widen the road are unlikely. As suggested, an additional 5 feet of right of way will be dedicated along Broadway as shown on the revised plan.**

5. Comment: If CVS Pharmacy, Inc. is the owner, the application for rezoning should reflect this. If Mark Stevenson is the owner, the plan should be changed to reflect this.

**Response: See revised plan.**

6. Comment: Show specific location of 100-year floodplain.

**Response: See revised plan.**

7. Comment: Submit a letter specifically requesting that Council allow variance from those building setback lines which do not meet the C-P district standards. Reference the specific sections and distances of proposed variances.

**Response: The building will be within 5 feet from the boundary of the property as adjusted by the additional grant of right of way along Broadway requested by the City. This location of the building (abutting Broadway) was requested by the City's Community Development staff to be more in accordance with the "downtown" development. As such, a "variance" to the setback suggestions in Section 29-17 is required as shown on the revised plan and as described in the Revisions to Application for the Permanent Rezoning of Property.**

8. Comment: Label width of existing roads and rights-of-way.

**Response: See revised plan.**

9. Comment: Show locations and sizes of existing and proposed sanitary sewers, water mains, storm sewers and natural gas mains within or adjacent to the site, and any proposed easements.

**Response: See revised plan.**

10. Comment: Show proposed on-site light pole locations.



**Response: See revised plan.**

11. Comment: The Director of Public Works has indicated that he is opposed to the proposed box culvert extension over Flat Branch Creek.

**Response: CVS has consulted with the Director of Public Works with regard to the proposed box culvert extension. In addition to other accommodations being made by CVS, the pocket park is being constructed in a manner that provides substantial benefits to storm water treatment and quality that would not otherwise exist. It is the Applicant's understanding that the Director of Public Works will explain his position in this regard and that it will be something other than opposition to the box culvert extension.**

### **Rezoning request**

1. Comment: Item 10: Provide a complete listing of proposed permitted uses.

**Response: See previous response.**

2. Comment: Item 13: The only proposed landscaping on the City-owned northwest corner appears to be buffalo grass. Suggest meeting with City Director of Public Works to verify that he is amenable to converting this parcel from parking to greenspace, including the various maintenance, planting, and right-of-use agreement terms. Suggest meeting with City Arborist to verify that proposed buffalo grass planting is recommended at this location.

**Response: See previous response.**

### **Landscape Comments**

1. Comment: Given the environmental conditions of this site October Glory and Blue Beech is not a suitable tree species. Suggestions would be Shantung Maple, Trident Maple, Forum Blackgum, Red Rage Blackgum, or another species all together other than beech and maple.

**Response: 'Greenspire' Linden shall replace the October Glory. Japanese Zelkova shall replace the Blue Beech. Both species selected are suitable for the environmental conditions of the site.**

2. Comment: Screening along Fourth need 30% M/L trees.

**Response: Pin oaks shall be planted in addition to the serviceberry's found along Fourth St.**

3. Comment: Screening between parking lot and Providence must contain four categories of Section 29-25(f).

**Response:** Screening between the parking lot and Providence shall contain four of the categories as described in Section 29-25(f). The four categories selected include: fescue sod, evergreen shrubs, deciduous shrubs, and deciduous M/L trees.

### **Public Works Comments**

1. Comment: Staff has been working with the consultant on floodplain issues.

**Response:** A flood study report and “No-Rise” certification was submitted to the City and approved per letter dated October 4, 2012.

2. Comment: There are two sanitary sewer mains that run across this property from north to south. The location of the proposed building would be on top of these sewers. Easements for the existing sewers need to be provided and the location of the building changed or the sewers need to be relocated so they are not under the proposed building and easements provided for the new sewer location.

**Response:** See revised plan. Existing sanitary sewer mains will be relocated along Broadway and 4<sup>th</sup> St. and connect back to existing along the southern portion of the CVS parking lot. Existing easements will be vacated and replacement easements dedicated for the sewer relocation.

3. Comment: The access to western dumpster is a concern. Need dimension and style (front-load or rear-load) of the vertical compactor.

**Response:** Truck templates for dumpster and compactor loading and unloading (front-load vertical compactor) using AutoTurn software have been performed and do not reflect any encroachments into parking stalls or landscaped areas.

4. Comment: Access to Broadway should not be permitted. As mentioned in previous correspondence with the developer, assessment regarding a potential access to Broadway does not rely solely on volume.

**Response:** See revised plan.

5. Comment: Due to the available distance between the proposed location of the building and 4th Street, there is not room to safely accommodate an access to Broadway. While the traffic study indicates that the situation will be better due to removing the angle parking, we disagree. The situation will not appreciably be improved. The additional conflicts associated with right turning vehicles in close proximity to vehicles waiting on 4th Street (both north or south) will likely lead to unnecessary collisions.

**Response:** See revised plan.

6. Comment: It has not been demonstrated how to ensure that only a right out would be made. How would this physically be accomplished in the space available? If a median or



other means within Broadway were to be used, the reassignment of 4th Street movements will need to be evaluated. It is unlikely that the existing street configuration could accommodate the reassignment without additional modifications. If the right out is intended to be constructed with curbing in the driveway, the proximity of where vehicles enter Broadway with respect to 4th matters in assessing the impact.

**Response: See revised plan.**

7. Comment: A number of options are available for the developer to achieve a drive-up window that exits to 4th Street including but not limited to: (i) a taller building with a smaller footprint and the drive providing turning room for another access to 4th; (ii) repositioning the building on the lot to provide the drive-thru exit to 4th; or (iii) reconfiguring the setup of the building to an L or other means allow for a direct access to 4th as well as other means the developer should be able to determine.

**Response: The Applicant has made substantial revisions to the plan from what was originally proposed based on staff comments and including the substantial changes to the plan from what was included in the initial application. Most substantially, with regard to the aforementioned comments, is that the drive-thru egress point is now on to Fourth Street as opposed to Broadway.**

8. Comment: There are no known plans or funding in place to remove the parking lot near Providence & Broadway. The driveway would still exist and would need to be reconfigured to provide access to the lot unless some means was found to accomplish the removal of the parking lot (including an offset to the Parking Utility for lost revenue). From a traffic perspective, removing the access might improve the overall operation of Broadway. The supposition of the traffic study is that this driveway is removed, which is not a known item at this time.

**Response: See previous comments with regard to the pocket park.**

9. Comment: MoDOT will address the operation of Providence & Broadway. It is unlikely that permissive movements during certain times of the day will be allowed for left turns due to safety concerns. The traffic study results are dependent on the permissive movements being allowed. With the information we have available, permissive movements during the peak periods are not recommended. Additional capacity at Providence & Broadway could be achieved with dual left turns for all left turn movements, but that is not addressed with this traffic study.

**Response: See revised Traffic Impact Study. Alternates such as dual left-turns were considered, but without re-development on adjacent corners, lanes will not align properly on the opposite side of the intersection. Since MoDOT will not allow Flashing Yellow Arrows at the signalized intersection, 15 feet of ROW will be dedicated along Providence Road for future road improvements.**

10. Comment: A right-in/right-out configuration at Providence & Cherry should not impact left turning movements at Providence & Broadway.

**Response:** See revised plan. The revised development plan includes a “porkchop” island on the east side of Cherry Street instead of the center island along Providence Road.

#### **Police Department Comments**

1. Comment: The outside pedestrian seating on the north side of the building should include an arm rest in the middle of the bench to prohibit abnormal users from lying down and napping.

**Response:** CVS will provide the type of bench recommended.

2. Comment: The dumpster enclosure should have openings to allow natural surveillance as this could be an ambush point.

**Response:** See below.

3. Comment: I would encourage windows on every side of the structure, once again allowing for natural surveillance in and out. I would also encourage little to no signage on the windows as this reduces natural surveillance.

**Response:** See below.

4. Comment: Some consideration should be given to controlling trespass vehicles during evening and late night hours on the east side of the lot. Planting hostile vegetation along Fourth St would discourage foot traffic through the planters. Possibly closing the Fourth Street exit during late night hours would discourage bar patrons from parking on the lot.

**Response:** See below.

5. Comment: Adequate lighting around the entire building and parking lot would discourage abnormal users.

**Response:** See below.

6. Comment: I would recommend a CPTED evaluation as you design the inside of your store with the hopes of reducing the chances of criminal activity.

**Response:** CVS appreciates these comments and suggestions and will take them into consideration as it implements its design strategies with respect to safety that it applies to each CVS location in the United States. The lighting as shown on the revised plan is a result of a preliminary photometric study performed by CVS specifically for this site as well as the aforementioned design strategies. Upon completion of the photometric study, minor changes to the lighting could be warranted. CVS can provide more information regarding its design strategies and/or direct City representatives to its national consultant regarding same.



### **Missouri Department of Transportation (MoDOT) Comments**

1. Comment: The concrete median on Providence that limits the left-turning movements at Cherry Street will not be allowed as shown. The reasons for this are:

- Comment: Access for the northbound left turn to access Cherry Street needs to be allowed.

**Response: See revised plan.**

- Comment: Storage for the queue from the northbound left turn at Providence and Broadway. The Providence access for the proposed CVS Pharmacy still is required to be right-in/right-out, but this needs to be accomplished by means other than what is shown.

**Response: See revised plan. The revised plan includes a “porkchop” island on the east side of Cherry Street instead of the center island along Providence Road.**

2. Comment: We will not allow the installation of flashing yellow arrows at the intersection of Providence and Broadway. Our staff has reviewed the installation of flashing yellow arrows for all movements throughout the entire day, not just in the peak hours, and has determined that this intersection is not a good candidate for flashing yellow arrow installation. Because the flashing yellow arrow is not an option at this location to mitigate the increased volume that the proposed CVS Pharmacy will generate, further analysis will be required to determine other potential improvements for this intersection.

**Response: See previous response.**

3. Comment: We have no comments regarding the proposed access on Broadway or on 4th Street. These accesses are on roads maintained by the City of Columbia.

### **Building and Site Development Comments**

1. Comment: This plan appears to make the City's parking lot at the corner unusable. What is proposed for that area? Not sure that grass with a 4-foot vinyl fence is a satisfactory substitution for the existing parking lot.

**Response: See previous comments.**

2. Comment: The legal description uses bearings to the nearest second. Are you stating that the number of significant figures used, i.e. the nearest second, is representative of the precision of the measurements?

**Response: See revised plan.**

3. Comment: Legal description does not match that shown graphically.

**Response: See revised plan.**

4. Comment: Need to show type and location of all on-site lighting.

**Response: See revised plan.**

5. Comment: Need to provide existing vs. proposed impervious area. Outcome will impact storm water calculations.

**Response: See revised plan.**

6. Comment: Show parking calculations for C-P zoned property.

**Response: See revised plan.**

7. Comment: Symbolology for the corner monuments appears to match that shown for section corners.

**Response: See revised plan.**

8. Comment: Standard downtown sidewalk is 10 feet in width. Sidewalks shown along Providence and Broadway are only 5 feet wide.

**Response: See revised plan.**

9. Comment: Provide details for CVS Pharmacy sign "AI".

**Response: See revised plan and design parameters.**

10. Comment: Provide flood study and no-rise certificate. Not sure it has final approval.

**Response: A flood study report and "No-Rise" certification was submitted to the City and approved per letter dated October 4, 2012.**

11. Comment: Provide details about what is proposed within the old Cherry Street right-of-way such as pavement type and thickness, extent of pavement.

**Response: See revised plan. Cherry Street stub/driveway will be constructed to City of Columbia standard specifications including pavement type and thickness.**



12. Comment: The proposed concrete median in Providence Road would make Cherry Street on the west side of Providence a right-in, right-out intersection. What is the justification for inhibiting traffic movement on the other side of the street?

**Response: See revised plan. The revised development plan includes a “porkchop” island on the east side of Cherry Street instead of the center island along Providence Road. Left-turns to and from the west side of Cherry Street will not be limited with this modification.**

13. Comment: The condition of the existing box culvert is uncertain. Provide information showing that it is structurally sound enough to extend and that further inhibiting access won't be detrimental to any future needed repairs.

**Response: It is the understanding of CVS that the box culvert is structurally sound; however, CVS will cooperate with the City with regard to any necessary repairs that may become apparent during the redevelopment process.**

14. Comment: Indicate which portion is currently zoned M-1 and which is C-2.

**Response: See revised plan.**

15. Comment: CVS is shown as the owner. They may be the contract purchaser but as of now, they are not the owner

**Response: See revised plan.**

16. Comment: Free-standing signs should be

**Response: Although the comment is apparently incomplete, the Applicant has corresponded with City staff regarding signage. The property is within the boundaries of the Central Business District (“CBD”), but is on the outer edge of the CBD. CVS and City Staff have agreed that the CBD sign regulations (Section 23-12) are not mandatory with regard to this site under this proposal. The current plan is submitted under the planned commercial district Ordinances, which permits the City substantial leeway with regard to signage beyond the narrow regulations applicable to the CBD. The CBD sign regulations explicitly state that they do not govern sites such as this under these circumstances. Even if the proposal were not submitted under the C-P Ordinances, the site’s proximity to Providence Road would exclude it from the CBD sign regulations. Excerpts from the applicable Ordinances are included in the following footnote.<sup>1</sup> Regardless, the signage**

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<sup>1</sup> Section 29-17(d)(9) states that Chapter 23 applies to planned commercial projects, except with regard to requirements “pertaining to area, height, placement and number of freestanding signs and on-premise wall, canopy and awning signs shall be as approved by the council as part of the development plan.”

“Central business district” is defined to exclude “property located adjacent to Providence Road” (Section 23-1).

“Signs on any building elevations that would be adjacent to Providence Road but for city-owned property or vacant property no greater than one

proposed by CVS is necessary and appropriate and is fitting for the site with respect to type, size, height, and location as can be seen on the revised plan.

17. Comment: C-P property has a required 25-foot building setback on both the Broadway side and the Providence side. Show Proposed building shown appears to encroach in front yard.

Response: See previous comments.

18. Comment: What is the name of the proposed C-P plan?

Response: See revised plan.

19. Comment: Side setback for freestanding signs is 25% of the lot width and would apply to the sign labeled as "A2" at the northeast corner of the subject tract.

Response: See revised plan.

20. Comment: Planting plan states property is in C-2 zoned area. It is currently but aren't you proposing to re-zone to C-P?

Response: See revised plan.

21. Comment: Provide top and toe elevations for proposed retaining wall.

Response: See revised plan.

22. Comment: Building and Site Development does not support the extension and enclosure of Flat Branch Creek.

Response: See previous comments.

### **Comments from Bill Adams**

---

hundred fifty (150) feet in depth between the elevation and the road right-of-way shall be subject to the Sign Regulations applicable outside the central business district." (Section 23-12(a)(9)).

The sign regulations that are applicable to the site are those approved by City Council per 23-25(j) and 23-25.1.

Sections 23-25(j) and 23-25.1 deal with signage in planned business districts as follows: "...sign area, height, placement and number shall be subject to review and approval of development plans or final development plans. Specific regulations shall be recommended to and approved by the city council as part of a development plan or final development plan, or in the case of minor revisions, by the planning and zoning commission or the director of community development. Changes to specific sign regulations within a development plan shall only be approved through compliance with zoning ordinance procedures for review and approval of development plans and final development plans and changes to them."

Section 23-9(a) is consistent with the foregoing: "The owner or lessee of the premises upon which a sign is to be erected may file an application with the board of adjustment for approval of a sign plan upon forms provided by the city, except if the proposed sign locations(s) is within a planned zoning district. Revisions to such sign plans in planned districts shall be made, subject to the procedures outlined in section 23-25(j)."



1. Comment: Description appears to include property the client does not own. See the southwesterly part of the description and the Location Map. The Assessor Parcel Map shows this parcel owned by Roth Properties LLP.

**Response:** See previous comments.

#### **Parks and Recreation Commission Comments**

1. Comment: Would like to see the developer provide adequate stormwater controls, control pollutants from cars in the parking lots from washing into the park, and provide adequate snow removal that would not affect the park's boundaries.

**Response:** A continuous deflection separation (CDS) inlet will be installed in the CVS parking lot to screen, separate and trap sediment, debris, and oil and grease from stormwater runoff. The screening technology captures and retains 100% of floatables and materials as stormwater moves through and exits the inlet prior to discharge to the public stormsewer system.

# CVS/pharmacy NEW CONSTRUCTION

TYPE A - 14,600 SF

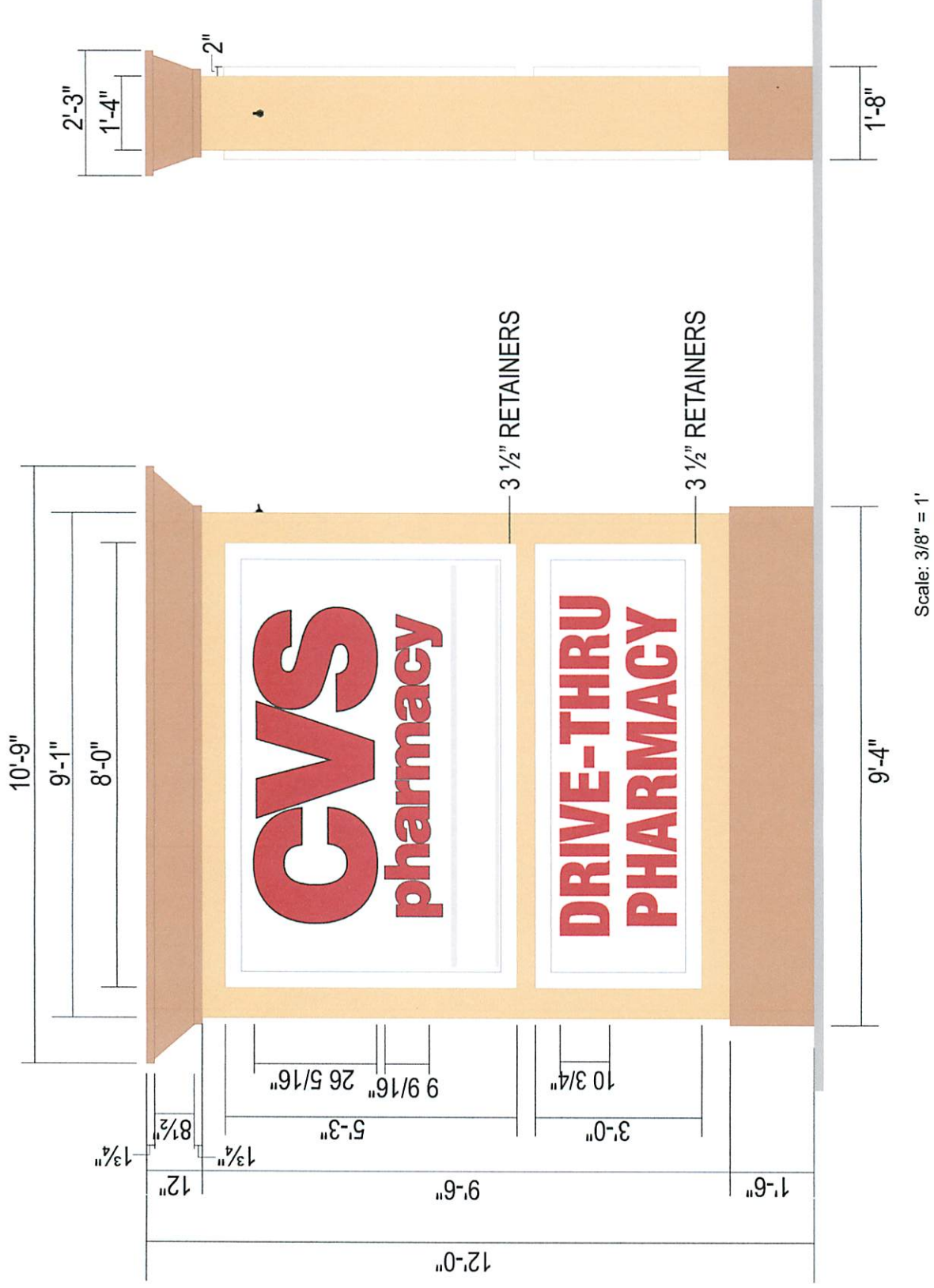
CVS#10004  
SEC Providence Rd & East Broadway  
Columbia, MO 65203

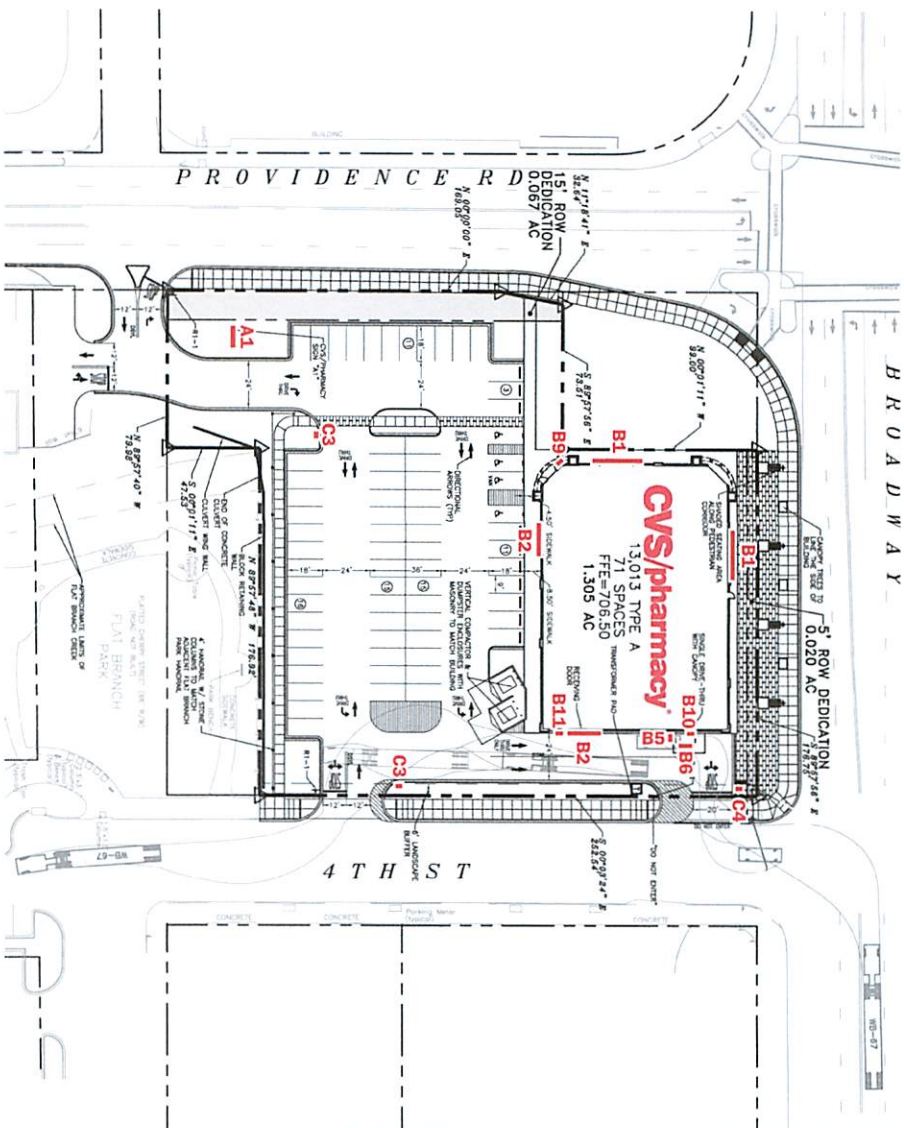


Wo #100598

Start Date: 6/11/13 as \_\_\_\_\_  
PM: E. Wade  
Revision: R3 - 8/1/13 as \_\_\_\_\_



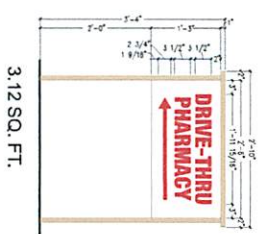




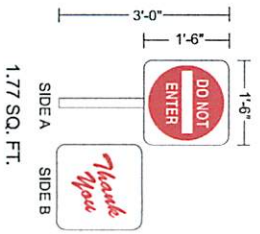
THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THE SIGN SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THE SIGN SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES.

### DIRECTIONAL SIGNS

C3-2 DIRECTIONAL SIGNS



C4-1 SIGN



### CVS & ANCILLARY CHAN. LTRS

B1-2 SETS OF CHAN LTRS



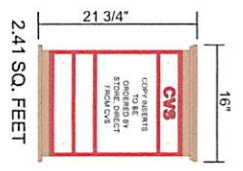
### DRIVE-THRU CANOPY FACES

B5-1 SIGN



### WALL PLAQUES & ALUM. PANELS

B9-1 SIGN



B10-1 SIGN



### DRIVE-THRU PHARMACY

B6-1 SIGN



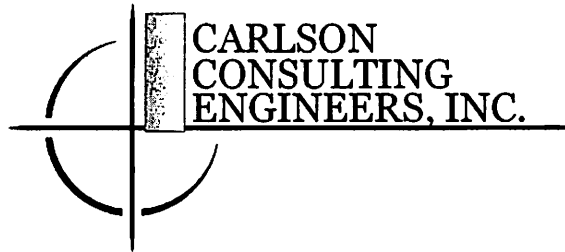
### CVS/pharmacy

B11-1 SIGN



CVS #10004 SEC Providence Rd & East Broadway Columbia, MO 65203





August 2, 2013

Mr. Steve MacIntyre  
City of Columbia  
Community Development Department  
701 E Broadway  
Columbia, MO 65201

RE: CVS C-P Development Plan  
Variance Request Letter

Dear Mr. MacIntyre,

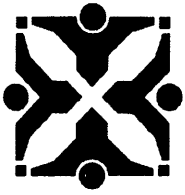
On behalf of Missouri CVS Pharmacy, L.L.C., a Missouri limited liability company (the "Applicant") and in conjunction with the C-P rezoning request for the proposed CVS/pharmacy at the southeast corner of Broadway and Providence, please accept this letter as a waiver request from the following City ordinances:

- A reduction in the front yard setback as required by Section 29-17 District C-P, planned business district, subsection d.2.1 from 25' along Broadway to 5' as shown on the C-P Development Plan. The proposed building will be located 5' from the new property line following the right-of-way dedication along Broadway as requested by City staff. The proposed building location is in conformance with City staff's request to match typical downtown setbacks.
- A reduction from the 15% minimum landscape requirement of the total land area of any tract as required by Section 29-15 Screening and Landscaping requirements, subsection e.1 to 11.4% as shown on the C-P Development Plan. The reduced area of the site due to the 15' right-of-way dedication along Providence results in a decrease in the landscaping percentage from 16.2% to 11.4%. If the pocket park to be constructed and landscaped by CVS as part of the redevelopment is included in the landscaping calculations the percentage is 18.8%. If both the right-of-way dedication area and the pocket park are included the percentage is 23.6%.

Please let me know if you need any additional information at this time.

Sincerely,

David Barnett - Carlson Consulting Engineers



# CITY OF COLUMBIA, MISSOURI

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## COMMUNITY DEVELOPMENT

October 4, 2012

Chris Sander  
A Civil Group  
3401 Broadway Business Park  
Columbia, MO 65203

Re: Flat Branch Flood Study

Mr. Sander:

Community Development staff has reviewed the above mentioned study submitted on September 11, 2012. The City has approved the flood study.

Sincerely,

---

Lee White, P.E.

c:

DEPARTMENT OF PLANNING AND DEVELOPMENT

(573) 874-7239

BUILDING AND SITE DEVELOPMENT

(573) 874-7474

OFFICE OF NEIGHBORHOOD SERVICES

(573) 817-5050



## **REVISIONS TO APPLICATION FOR THE PERMANENT REZONING OF PROPERTY**

The following information is intended to replace paragraphs 10 and 13 and Exhibit A to the Application for the Permanent Rezoning of Property originally filed by CVS Pharmacy, L.L.C. on July 1, 2013:

10. **Statement of Intent Required by Section 29-17(e)(2):** The following is intended to satisfy the requirements of Section 29-17(e)(2) of the City's Zoning Ordinances:

- a. The uses proposed for the Property shall be all of the uses permitted under Zoning District C-2 (Section 29-15) of the City's Zoning Ordinances, and such additional uses which are also listed on the revised Statement of Intent submitted herewith.
- b. The maximum gross square feet of building floor area proposed for the Property shall be 20,000.
- c. The maximum building height on the Property shall be 45 feet.
- d. The minimum percentage of the Property to be maintained in open space shall be 11.4%.
- e. The Downtown Community Improvement District shall be permitted to construct and maintain decorative elements such as landscaping, signage, public art, lighting, or other such similar improvements as may be approved by the Applicant and as may be compatible with the C-P Plan applicable to the Property. Such improvements shall not include anything that, in the commercially reasonable discretion of the Applicant, inhibits in a detrimental manner the view or visibility of the Property and the improvements constructed thereon.
- f. The Applicant shall maintain in good order, condition and repair and in conformity with all applicable laws and consistent with the C-P Plan the landscaping improvements it installs on the City Parcel.

13. **City Owned Northwest Corner:** With regard to the approximately 8,027 square feet of real estate owned by the City that is immediately northwest of the Property and adjacent to the southeast intersection of Providence Road and East Broadway (the "City Parcel"), the Ordinance approving the rezoning shall include obligations of the City and the Applicant as follows:

- a. The City Parcel shall be improved with landscaping by the Applicant and maintained by the Applicant as shown on the C-P Plan approved in conjunction with this rezoning.

b. The improved City Parcel shall be used as a public "pocket park". The City shall not construct or permit obstructions within the City Parcel that would interfere with the use of the City Parcel as a public pocket park or with the maintenance of the City Parcel by the Applicant. Without limiting the foregoing, the City Parcel shall not contain anything that, in the commercially reasonable discretion of the Applicant, inhibits in a detrimental manner the view or visibility of the Property and the improvements constructed thereon.

## **EXHIBIT A**

### **Legal Description of the Property**

#### **LEGAL DESCRIPTION**

A TRACT OF LAND LOCATED IN ALL OF LOTS 181, 182, AND 136, ALSO A PORTION OF LOTS 183, 137, AND 138, ALSO THE VACATED ALLEY BETWEEN SAID LOTS AND THE WEST 17 FEET OF RIGHT-OF-WAY OF 4TH STREET IN THE ORIGINAL TOWN, NOW CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 136; THENCE N 00°00'00" E, ALONG THE WEST LINE OF LOT 136, A DISTANCE OF 169.05 FEET TO THE EAST LINE OF A TRACT OF LAND DESCRIBED IN BOOK 559 AT PAGE 730; THENCE N 11°18'41" E, ALONG SAID EAST LINE, A DISTANCE OF 32.64 FEET TO THE SOUTH LINE OF THE NORTH 99 FEET OF LOT 183; THENCE S 89°57'56" E, ALONG SAID SOUTH LINE, A DISTANCE OF 73.51 FEET TO THE WEST LINE OF LOT 182; THENCE N 00°01'11" W, ALONG SAID WEST LINE, A DISTANCE OF 99.00 FEET TO THE NORTHWEST CORNER THEREOF; THENCE S 89°57'56" E, ALONG THE NORTH LINE OF LOTS 182, 181, AND THE EXTENSION THEREOF, A DISTANCE OF 176.75 FEET TO THE EAST LINE OF THE WEST 17 FEET OF VACATED 4TH STREET; THENCE S 00°03'24" E, ALONG SAID EAST LINE, A DISTANCE OF 252.54 FEET; THENCE N 89°57'48" W, ALONG THE SOUTH LINE OF THE NORTH 95 FEET OF LOTS 137, 138, AND THE EXTENSION THEREOF, A DISTANCE OF 176.92 FEET TO THE EAST LINE OF LOT 136; THENCE S 00°01'11" E, ALONG SAID EAST LINE, A DISTANCE OF 47.53 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE N 89°57'40" W, ALONG THE SOUTH LINE OF LOT 136, A DISTANCE OF 79.98 FEET TO THE POINT OF BEGINNING. ENCOMPASSING AN AREA OF 1.392 ACRES.



**VAN MATRE, HARRISON, HOLLIS, TAYLOR, AND BACON, P.C.**

A PROFESSIONAL CORPORATION  
**ATTORNEYS AND COUNSELORS AT LAW**  
1103 EAST BROADWAY  
POST OFFICE BOX 1017  
COLUMBIA, MISSOURI 65201

CRAIG A. VAN MATRE  
THOMAS M. HARRISON  
ROBERT N. HOLLIS  
GARRETT S. TAYLOR  
BRYAN C. BACON\*  
CASEY E. ELLIOTT  
RICHARD B. HICKS

(573) 874-7777  
TELECOPIER (573) 875-0017  
E-MAIL [robert@vanmatre.com](mailto:robert@vanmatre.com)

EVERETT S. VAN MATRE  
(1922-1998)

\* ADMITTED IN MISSOURI AND ILLINOIS

August 2, 2013

Steve MacIntyre  
City Community Development Department  
City of Columbia  
701 E Broadway  
Columbia, MO 65201  
Via Hand Delivery and E-mail: [sjmacint@gocolumbiamo.com](mailto:sjmacint@gocolumbiamo.com)

RE: Statement of Intent / Application for Permanent Rezoning / Missouri CVS  
Pharmacy, L.L.C. (the "Applicant")

Dear Steve,

The following is intended to satisfy the requirements of Section 29-17(e)(2) of the City's  
Zoning Ordinances:

- a. The uses proposed for the Property shall be all of the uses permitted under Zoning District C-2 (Section 29-15) of the City's Zoning Ordinances, and such additional uses which are also listed on Exhibit A attached hereto.
- b. The maximum gross square feet of building floor area proposed for the Property shall be 20,000.
- c. The maximum building height on the Property shall be 45 feet.
- d. The minimum percentage of the Property to be maintained in open space shall be 11.4%.
- e. The Downtown Community Improvement District shall be permitted to construct and maintain decorative elements such as landscaping, signage, public art, lighting, or other such similar improvements as may be approved by the Applicant and as may be compatible with the C-P Plan applicable to the Property. Such improvements shall not include anything that, in the commercially reasonable discretion of the Applicant, inhibits in a detrimental manner the view or visibility of the Property and the improvements constructed thereon.

Van Matre, Harrison, Hollis, Taylor, and Bacon, P.C.  
Steve MacIntyre  
August 2, 2013  
Page 2 of 3


f. The Applicant shall maintain in good order, condition and repair and in conformity with all applicable laws and consistent with the C-P Plan the landscaping improvements it installs on the City Parcel.

Thank you for your attention to this matter.

Sincerely,

**Van Matre, Harrison, Hollis, Taylor, and Bacon, P.C.**

By:

  
Robert N. Hollis

RNH/jae

CC: Tim Teddy, Pat Zenner, David Barnett, and Donn Fizer (Via E-mail)



**EXHIBIT A**

**Permitted Uses**

### **R-1 Permitted Uses - One-Family Dwelling District (Section 29-6)**

Agriculture, nurseries and truck gardens, each of which shall be limited to the propagation and cultivation of plants, provided no retail or wholesale business shall be conducted upon the premises, and no obnoxious

Churches, mosques and synagogues.

Dwellings, one-family.

education centers, child experiment stations, or child development institutions, under the following regulations:

(1) That not more than 10 children not related to the operator shall be kept. Up to 3 additional children over the age of 2 may be kept for up to 2 hours per day. Up to 3 additional school-age children may be kept on unscheduled days of school closings; provided that at no time shall more than 13 children not related to the operator be kept, (2) That such uses shall be permitted only if the rear yard in which the home would operate meets the minimum requirements of this section and is enclosed with a suitable fence, (3) That such uses are located in the dwelling used by the operator as his or her private residence, (4) That the operator shall not employ more than one full-time (40 hours per week) assistant who does not reside on the premises or more than 2 half-

inspector according to section 13-20 of this Code, (2) That no more than 2 garage sales per dwelling unit may be held on any lot in a residential zoning district in any calendar year. For any use other than a dwelling unit on a lot in a residential district, there shall be no more than 2 such sales per calendar year by or on behalf of each separate group or organization which forms a part of the allowable zoning purpose of such other use (for example, a school band or athletic team). One additional sale per year shall be allowed under each of the following circumstances: (a) The sale occurs as a result of the resident of that lot moving from that lot to another dwelling; and (b) The sale is conducted by or through the estate or legal guardian of a resident of that lot, and (3) Garage sales may be held only from 8:00 a.m. to sundown on weekdays and Saturdays, and from 9:00 a.m. to

activities operated as a business).

amusement or recreation, provided that the articles produced or constructed are not sold in the ordinary course of business either on or off the premises, and provided such use will not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise.

Group homes for foster care.

shall not be located within a one thousand (1,000) foot radius of another such group home in any specific single-family neighborhood, (2) Before operating such group home, the owner or operator of the home shall register with the Community Development Department and shall sign an affidavit certifying that the home will be in compliance with subsection (1) above, and (3) The exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards.



however, in order to promote peace, quiet and freedom from excessive noise, excessive traffic, nuisance, fire hazard, and other possible effects of commercial uses being conducted in residential areas all home occupations must meet the following restrictions: (1) A home occupation shall be incidental to the use of a dwelling unit for residential uses. No person other than a person residing at the dwelling unit shall be directly involved with or work in the home occupation. If the home occupation employs persons to work at other locations, the dwelling unit shall not be used as an assembly point for any employees who may work at sites outside of the dwelling, (2) No alteration of the residential appearance of the premises shall be made, including the creation of a separate entrance to the dwelling or utilization of an existing entrance exclusively for the home occupation, (3) No more than twenty (20) per cent of the total floor area of the dwelling unit and garage shall be devoted to the home occupation. A garage shall not be used for a home occupation if such use has the effect of eliminating required parking, (4) The home occupation shall be conducted entirely within the dwelling unit or garage and no stock in trade shall be displayed or visible outside, or stored outside of any building, nor shall any raw materials, tools or appliances or waste products be stored outside of any building, (5) Signs may be used for identification or advertisement of the home occupation but such signs must be attached flat to the structure, may not be larger than one square foot and may not be illuminated, (6) No power other than electric shall be used and no single machine shall draw more than one-half horsepower and not more than one horsepower total shall be used, (7) There shall not be conducted on the premises the business of selling stocks of merchandise, supplies, or products, provided that orders previously made by telephone or at a sales party may be filled on the premises; that is, direct sales of products off display shelves or racks is not allowed, but a person may pick up an order placed earlier as described above, (8) The use shall not generate traffic in volumes greater than would normally be expected in a residential neighborhood. For purposes of this section, the normal volume of traffic generated by a single-family dwelling shall be defined as twelve vehicle trips to and/or from the dwelling unit per twenty-four-hour period. The use shall not use commercial or business vehicles to deliver finished products from the compliance within thirty (30) days of the notice of the deficiency. It shall be unlawful to fail to comply with the above restrictions after notice.

Public police and fire stations.

Public administrative buildings.

Public libraries.

Public museums.

Public parks and playgrounds, including public recreation or service buildings within such parks.

elementary or high school, and institutions of higher learning including gymnasiums, stadiums, and dormitories if located on the campus. Before any building or structure shall be hereafter constructed on a campus of an institution of higher learning, a development plan of the campus shall be submitted to the commission, and after a public hearing, such commission shall report its recommendations to the council. If the council shall approve the development plan by ordinance, such plan shall be filed with the permanent records of the city. The development plan shall show existing and future buildings, parking areas, streets and drives, athletic facilities, and other features which may affect surrounding property or the public interest. The director of community development shall determine, or cause to be determined, that any building or structure hereafter constructed substantially conforms to the approved development plan prior to the issuance of a building permit. If at any time

Publicly owned and operated community buildings.

Temporary real estate sales office, located on property being sold and limited to a period of sale, but not exceeding two (2) years without special permit from the board.

## **R-2 Permitted Uses - Two-Family Dwelling District (Section 29-7)**

*All permitted uses in district R-1.*

Dwellings, two-family.

<b>R-3 Permitted Uses - Medium Density Multiple-Family Dwelling District (Section 29-8)</b>
<i>All permitted uses in district R-2.</i>
Adult day care home.
Apartment houses.
Boardinghouses or lodging houses.
minimum of 10 acres, (2) a CCRC shall be planned and constructed as a unified development, (3) uses located within a CCRC shall be owned and operated by a single, properly licenses entity or provided under a direct contract with the owner, (4) the height and area requirements of Section 29-8(d) shall apply to any proposed component of a CCRC, (5) a 25 foot perimeter setback shall be provided around all sides of a CCRC, (6) A CCRC development site shall retain or provide an additional fifteen percent (15%) landscaped area beyond that required by section 29-25. Such provision shall be exclusive of those CCRC supportive facilities that may accompany the overall development, and (7) CCRC assisted living facilities and CCRC skilled care nursing
Fraternity or sorority houses and dormitories.
Family day care homes, day care centers, pre-school centers, nursery school, child play care centers, child education centers, child experiment stations or child development institutions.
Group care homes for mentally retarded children.
<b>O-1 Permitted Uses - Office District (Section 29-12)</b>
<i>All permitted uses in district R-3 (subject to the height and area regulations of district R-3).</i>
<i>Purpose. This district is intended to provide for professional, administrative, or other offices and related uses primarily. It may serve as a buffer area between residential and more intense nonresidential uses.</i>
Banks, other financial institutions, and travel agencies.
Counseling centers operated by charitable or not-for-profit organizations; excluding halfway houses or any use connected with penal or correctional institutions.
Hospitals for human beings, medical or dental clinics, sanitariums, and medical laboratories.
Office buildings used for the administrative functions of businesses, professions, companies, corporations; and social, philanthropic, eleemosynary, or governmental organizations or societies.
goods, including but not limited to: (1) artists, sculptors, photographes, (2) authors, writers, composers, (3) lawyers, engineers, planners, architects, realtors, accountants, insurance agents, brokers, and other consultants in similar professions, (4) ministers, rabbis, priests, or other clergy members, (5) physicians, dentists, chiropractors, or other licensed medical practitioners, (6) seamstresses, tailors, and (7) teachers of private lessons in art, music,
Residential care facilities.
goods or services to the public.
Customary accessory uses subject to the provisions of section 29-27, Accessory Uses.
<b>C-1 Permitted Uses - Intermediate Business District (Section 29-14)</b>
<i>All permitted uses in district O-1.</i>
<i>neighborhood. The principal land use is a small shopping area with sales and services oriented to the needs of a local population.</i>
Alcoholic beverage sales by the package or as an accessory use to a restaurant.
restaurants or similar places where substantial quantities of food are served, all in compliance with the alcoholic beverage regulations of chapter 4 of this Code.
Barber and beauty shops.
Buildings and premises for public utility services or public service corporations.



Cleaning, pressing and dyeing establishments, provided that no explosive cleaning fluids shall be used.
Laundries, coin-operated.
Pet stores and grooming shops, for small animals.
Photographic service shops and studios.
Physical fitness centers, private gymnasiums and reducing salons.
five (5) horsepower.
Radio and television sales and service.
Repair of household appliances.
Restaurants, cafes or cafeterias, which provide no form of entertainment.
Restaurants, cafes or cafeterias which provide live or recorded music, provided that such music is played indoors only and further provided that the music from any such restaurant, cafe or cafeteria shall not be plainly audible at the property line of the property on which the building housing such restaurant, cafe or cafeteria is located.
Schools operated as a business, except trade schools.
Shoe repair shops.
the premises outside a building in the required front yard or in any side or rear yard adjacent to a residential zoning district.
Accessory uses, including drive-up facilities, customarily incidental to any of the above uses.
Customary accessory uses, including drive-up facilities, subject to the provisions of section 29-27 of this chapter.

### **C-2 Permitted Uses (Section 29-15)**

<i>8(d)(6).</i>
<i>Purpose. This district is intended to provide for commercial facilities in the central business district. The principal land uses are retail sales, services, offices and public facilities.</i>
Armories.
Assembly and lodge halls.
Automobile repair facilities, provided that all repair shall take place within an enclosed building.
Bakeries.
Bars, cocktail lounges and nightclubs.
Billiard halls and game arcades.
Bicycle repair shops.
Bus stations.
Car washes, coin-operated or attendant-operated.
Electrical repair shop.
Garment storage facilities.
Government buildings and facilities.
Hospitals for small animals, if within an enclosed building.
Hotels.
Laundries, commercial.
Lumberyards.
Multi-level, underground or covered commercial parking for automobiles and light trucks.
Newspaper publishing plants.
Printing shops.
Restaurants, cafes and cafeterias.
Service stations, provided all fuel storage tanks are located underground.

such manufacture the total mechanical power shall not exceed 5 horsepower for the operation of any one shop, and provided that the space occupied by the manufacturing use permitted herein shall not exceed 50 per cent of the total floor area of the entire building or the equivalent of the ground thereof, and provided further that such manufacturing use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise.
Sign painting shops.
Theatres, not including drive-in theatres.
Trade schools.
Wholesale sales offices and sample rooms.
Customary accessory uses, including drive-up facilities, subject to the provisions of section 29-27.
Any retail business or use of a similar character to those listed above, provided that such use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise.

<b>Additional Permitted Uses</b>
under the foregoing list, compounding and dispensing of prescription drugs and non-prescription drugs, medical aids and surgical supplies, convenience goods, home and personal care goods and related supplies, and other goods and services offered by national pharmacies such as CVS
facilities
Uncovered, surface off-street parking areas, except for publicly-owned parking facilities
Commercial parking for automobiles and light trucks